

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA

MISC. NO. 3:93MC178

**FILED**  
CHARLOTTE, N. C.

APR 28 2006

U. S. DISTRICT COURT  
W. DIST. OF N. C.

**ORDER**


IN RE:      ADOPTION OF A SEXUAL  
             HARASSMENT POLICY FOR THE  
             WESTERN DISTRICT OF  
             NORTH CAROLINA

All of the active Judges of this Court have reviewed the Sexual Harassment Policy attached hereto and incorporated herein and agreed that this Policy should be adopted by this Court.


**IT IS, THEREFORE, ORDERED** that the Sexual Harassment Policy for the United States District Court for the Western District of North Carolina, attached hereto and incorporated herein by reference, is hereby **ADOPTED** by this Court.


**IT IS FURTHER ORDERED** that the Clerk of Court provide copies of this Order and the Sexual Harassment Policy attached hereto to the active District Court Judges, the Magistrate Judges, the Clerk's Offices in Charlotte, Statesville, and Asheville, and to the Chief and Deputy Chief Probation Officers.

**THIS** the 28<sup>th</sup> day of April, 2006.

  
RICHARD L. VOORHEES, CHIEF JUDGE  
UNITED STATES DISTRICT COURT

  
LACY H. THORNBURG  
UNITED STATES DISTRICT COURT JUDGE

  
ROBERT J. CONRAD, JR.  
UNITED STATES DISTRICT COURT JUDGE

  
GRAHAM C. MULLEN, SENIOR JUDGE  
UNITED STATES DISTRICT COURT

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA**

**SEXUAL HARASSMENT  
STATEMENT OF POLICY\***

All employees of this Court have the right to work in an environment free of discrimination, which encompasses freedom from sexual harassment of employees in any form. Sexual harassment is considered sex discrimination and will not be tolerated in this District. Such conduct may result in disciplinary action up to and including dismissal.

Specifically, no supervisor shall threaten or insinuate, either explicitly or implicitly, that an employee's submission to or rejection of sexual advances will in any way influence any personnel decision regarding that employee's employment, wages, advancement, assigned duties, shifts, or any other condition of employment or career development.

Other sexually harassing conduct in the workplace which may create an offensive work environment, whether it be in the form of physical or verbal harassment, and regardless of whether committed by supervisors or non-supervisory personnel, is also prohibited. This includes, but is not limited to: repeated unwelcome flirtations; advances; propositions; continual or repeated verbal abuse of a sexual nature; graphic verbal commentaries about an individual's body; sexually degrading words used to describe an individual; and the display in the workplace of sexually suggestive objects or pictures.

This policy statement is not intended to inhibit inoffensive banter, humor, quips and other good natured expressions or conduct of a type that contributes to a positive and mutually enjoyable working environment.

Employees who have complaints of sexual harassment should report such conduct to their supervisors, or if that should be inappropriate, then to their Unit Executive, or if that should be inappropriate, then to the Chief Deputy Clerk or the Clerk of Court. To allow early remediation, such employees should take action as soon as a problem is known to exist, rather than allow a bad or potentially bad situation to simmer and grow worse. Formal complaint procedures for sexual harassment are the same as those outlined in the Employment Dispute Resolution Plan. A

copy of the Employment Dispute Resolution Plan is available from the Unit Executive or our Human Resources Department. All complaints will be investigated promptly and, where necessary, immediate and appropriate corrective action will be taken.

**\*NOTE:** This policy is in the nature of a notice for the general information of employees. It shall not be deemed to modify or enlarge in any way the statutory or case law of the subject matter as it develops from time to time. In the event of any difference between such law and the statements contained herein, the law of the subject matter in force as of the time of the events in question will govern.